

MEMORANDUM

Agenda Item No. 11(A)(2)

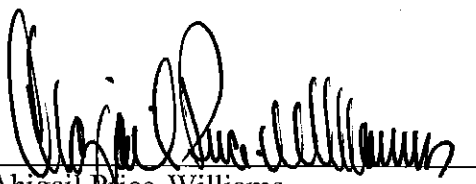
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution amending
Implementing Order No. 4-111,
Fee Schedule for Regulatory and
Economic Resources (Planning,
Zoning, and Platting Services), to
provide for fees for review of
applications for impact fee
reduction for pedestrian-oriented
development

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Esteban L. Bovo, Jr.


Abigail Price-Williams
County Attorney

APW/lmp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
12-6-16

RESOLUTION NO. _____

RESOLUTION AMENDING IMPLEMENTING ORDER NO. 4-111, FEE SCHEDULE FOR REGULATORY AND ECONOMIC RESOURCES (PLANNING, ZONING, AND PLATTING SERVICES), TO PROVIDE FOR FEES FOR REVIEW OF APPLICATIONS FOR IMPACT FEE REDUCTION FOR PEDESTRIAN-ORIENTED DEVELOPMENT

WHEREAS, on October 5, 2016, this Board accepted the Report on the Study of Road Impact Fee for Pedestrian Oriented Mixed-Use Developments, which was prepared in accordance with Resolution No. R-772-14, and which supported a 14.1 percent reduction in impact fees based on the rate at which these types of development internalize and reduce traffic impacts; and

WHEREAS, this Board, by ordinance, has amended Section 33E-8 of the Code of Miami-Dade County, Florida, to provide for the 14.1 percent reduction in impact fees for pedestrian-oriented developments and has provided a process for feepayers to apply for the discount; and

WHEREAS, this Board wishes to provide a specific administrative review fee for that impact fee reduction application process,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves the amendment of Miami-Dade County Implementing Order No. 4-111, Fee Schedule for Regulatory and Economic Resources (Planning, Zoning and Platting Services), in substantially the form attached hereto and incorporated herein, to provide for fees for review of applications for impact fee reduction for pedestrian-oriented developments as provided in Section 33E-8 of the Code of Miami-Dade County.

The Prime Sponsor of the foregoing resolution is Vice Chairman Esteban L. Bovo, Jr. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman

Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Joe A. Martinez

Rebeca Sosa

Xavier L. Suarez

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Sen. Javier D. Souto


The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of December, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Dennis A. Kerbel

I.O. No.: 4-111
Adopted: [[9/22/16]]
Effective: [[10/1/16]]

**MIAMI-DADE COUNTY
IMPLEMENTING ORDER**

**FEE SCHEDULE FOR REGULATORY AND ECONOMIC RESOURCES
(PLANNING, ZONING, AND PLATTING SERVICES)**

AUTHORITY:

Ordinance No. 76-60; the Miami-Dade County Home Rule Charter including, among others, Sections 1.01 and 2.02A; Sections, 2-113, 2-114.1, 2-114.2, 2-114.3, 2-114.4, 2-116.1, 8-5, 33-285, 33-303.1, 33E-15, 33G-6, 33H-16, 33I-13, 33J-14, 33K-14, and Chapters 16A, 18A and 28 of the Code of Miami-Dade County.

SUPERSEDES:

This Implementing Order (IO) supersedes IO 4-111, ordered September 22, 2016 and effective October 1, 2016.

POLICY:

A schedule of fees covering the cost of providing planning, zoning, and platting services shall be established and no application, permit, certificate or receipt shall be issued until the appropriate fee is paid. Additionally, no special study shall be prepared until a memorandum of agreement has been entered into or payment made.

PROCEDURE:

The responsibility for this Implementing Order is assigned to the Director of the Department of Regulatory and Economic Resources, who shall be responsible for the collection of fees and the delivery of required services pursuant to Chapters 8, 16A, 28 and 33 and Section 2-104 of the Code of Miami-Dade County. Each two years or earlier, if need be, the Director shall review all fees in terms of their cost and recommend necessary changes to the County Mayor.

FEE SCHEDULE:

The fee schedule adopted by this Implementing Order has been presented and is considered a part hereof. In accordance with Section 2-3 of the Code of Miami-Dade County, this official Fee Schedule is also filed with the Clerk of the Board of County Commissioners. Fees which are charged by the planning, zoning, and platting services shall be the same as those listed in the Official Fee Schedule on file with the Clerk of the County Commission.

This Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

Approved by the County Attorney as
to form and legal sufficiency _____

* * *

VI. ZONING APPLICATION FEES:

* * *

R. ADMINISTRATIVE SITE PLAN REVIEW FEE (COMMERCIAL ~~[[AND]]~~ ~~>>1<<~~ MIXED USE ~~>>~~, AND PEDESTRIAN-ORIENTED DEVELOPMENT<<)

~~>>1<<~~ For every application for an administrative review of site plans for commercial use where such site plans do not require approval at a public hearing, there shall be paid for the processing of each and every application, a minimum of \$2,201.63.

The exact amount of each and every administrative site plan review fee is established by the addition of the following fees: \$880.65 per 10 acres or portion thereof, and \$293.55 per 5,000 sq. ft. or portion thereof. For mixed use applications with residential units, there shall be the addition of the following fee: \$366.94 per 15 units or portion thereof.

Submittal of the first revised plan will be processed at no additional cost to the applicant. Subsequent revisions will be processed at an additional charge of \$880.65 per revised plan and shall be paid in total at the time of submittal.

~~>>2) For every application for an administrative review of site plans for an initial determination in connection with a pedestrian-oriented development road impact fee reduction, as provided in Section 33E-8 of the County Code, there shall be a fee paid for processing of each and every application of \$1,500.00.<<~~

* * *

V. OTHER PROCESSING AND RESEARCH FEES

* * *

4) For Zoning History Research on Subject Property, Zoning District verification, applicable Zoning Code Section, ~~>>or verification of pedestrian-oriented development determinations for road impact fee reduction purposes pursuant to Section 33E-8,<<~~ there shall be paid a fee of \$220.16.

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